

A RESOLUTION

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BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN THE CASE OF *LESTER PARKER V. GUY STROUP, et al.*, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA, CIVIL ACTION FILE NO. 1:05-CV-02795-TCB, IN THE AMOUNT OF \$1,000.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1A01 (GENERAL FUND), ACCOUNT 529017 (PROPERTY LIQUIDATION) AND CENTER NUMBER T31001 (NON-DEPARTMENTAL); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, *Lester Parker v. Guy Stroup, et al.* is a case in which the Plaintiff, Lester Parker, is suing for alleged personal injuries received when he was arrested by Atlanta Police Officers Guy Stroup, Barry Shepherd, Terry Mulkey and Lori Buttery (the "Officers") on charges of running into traffic and obstruction; and

WHEREAS, Plaintiff has alleged that he was arrested without probable cause following his encounter with the Officers and that he was deprived of his rights secured by the United States Constitution; and

WHEREAS, Plaintiff, as a result of his arrest, allegedly suffered physical injuries to his back; and

WHEREAS, the City has weighed the significant expense required to continue to defend the litigation against the opportunity to resolve the litigation expeditiously; and

WHEREAS, the Plaintiff is willing to settle all claims against the Officers for one thousand dollars (\$1,000.00), an amount that includes all costs and attorney's fees and a dismissal with prejudice as to all claims against the Officers; and

WHEREAS, the City Attorney recommends this settlement because it is in the best interests of the City;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the City Attorney is hereby authorized to conclude the settlement of all claims of Lester Parker against Officers Guy Stroup, Barry Shepherd, Terry Mulkey and Lori Buttery, as set forth in Civil Action File No. 1:05-CV-02795-TCB, in the United States District Court for the Northern District of Georgia, for the aggregate amount of one thousand dollars (\$1,000.00), including execution of settlement documents; and

SECTION 2. That the Chief Financial Officer is authorized to pay to Lester Parker and his attorney Albert Pearson III, the total sum of \$1,000.00, which shall be paid from **Fund 1AO1 (General Fund), Account 529017 (Property Liquidation) and Center Number T31001 (Non Departmental).**